

ORDINANCE NO. 17-2003

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE; AND ORDINANCE NO. 28-1998 CONCERNING THE PDD #65 PLANNED DEVELOPMENT DISTRICT; DECLARING A PENALTY AND CALLING A PUBLIC HEARING; AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That Chapter 23, Subpart E, known as the Zoning Ordinance of the City of Abilene, is hereby amended by changing Ordinance No. 28-1998, as set out in Exhibit "A," attached hereto and made a part of this ordinance for all purposes.

PART 2: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Two Thousand Dollars (\$2,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PASSED ON FIRST READING this 8 day of May A.D. 2003.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 4 day of May, 2003, the same being more than fifteen (15) days prior to a public hearing to be held in the Council Chamber of the City Hall in Abilene, Texas, at 8:30 a.m., on the 22 day of May, 2003, to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON SECOND AND FINAL READING THIS 22 day of May, A.D. 2003.

ATTEST:

Op Moore
CITY SECRETARY

Grady Barr
MAYOR

APPROVED:

Sharon E. Hicks
CITY ATTORNEY

EXHIBIT "A"

4th Amendment to Ordinance No. 28-1998

AMEND: PART 7

1. Permitted Uses

ADD: to Permitted Uses for Tract 5 only

RV Park

Campgrounds

Liquor Store (on-premise consumption, restricted to hotels and restaurants)

Miniature Golf, Driving Range, Golf Practice facilities

Horse Riding, Stables

Rodeo

Athletic Fields and Facilities (including but not limited to soccer, baseball, volleyball, football, track, disc golf, laser tag, basketball, paint ball, skating, bicycling, hockey, horse shoes, archery, and batting cages)

Go Cart/Mini cars

Park, Picnic area, Barbeque pit, Fishing, Swimming facilities, Trails (walking, biking, horseback riding)

Petting Zoo

Arcade (including electronic and mechanical games, virtual reality)

Museum

Retail Sales:

- Gifts
- Novelties
- Western Wear
- Crafts (produced on-site or off-site)
- Plant Materials
- Sporting Goods/Sport Clothing
- Concessions

Rock Climbing, Repelling

Drive-in/Outdoor Movies

Rental of Golf Carts, bicycles, and other items to be used within the PDD site only

Temporary Amusement Facilities (Including but not limited to carnivals, haunted houses)

Permanent Amusement Facilities (Including but not limited to carnival rides, games, mazes, air castles, mechanical bulls, bungee jumping, bumper cars/boats, radio controlled cars/planes/boats)

Conferences/Meetings/Festivals/Group Gatherings/Weddings/Receptions/Concerts

(amplified sound should be directed to the north, northeast or east unless the volume is less than the maximum decibel limits as found in Section 23-316.3 Table I of the City of Abilene Zoning Ordinance, measured at the west or south boundaries of the PDD)

Location:

East I-20, ½ mile west of Loop 322